

REMARKS

Claims 1-9 are pending in the present application. Applicants filed an Amendment and Response after the Final Office Action, which was dated June 4, 2003. Please enter that Amendment and Response. In addition, as part of this Amendment and Response, Applicants have further amended claim 1. Applicants respectfully request that this amendment also be entered. Reconsideration and allowance of the claims is respectfully requested in view of the above amendments and the following remarks.

Claims 1-9 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In addition, claims 1-9 stand rejected under 35 U.S.C. § 101 because the disclosed device is inoperative and therefore lacks utility. The Examiner stated in the Advisory Action that our reply filed on June 4, 2003 overcame these rejections. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Claims 1-5 and 7-9 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 4,812,049 to McCall ("McCall"), or by U.S. Patent No. 5,456,533 to Streiff et al. ("Streiff"). Claims 1-5, 8, and 9 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 3,885,918 to Isahaya ("Isahaya"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the * * * claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants have previously argued that the chamber has a bigger cross-section than the channels. The Examiner stated in the Advisory Action that the limitation does not appear in the claim. Claims 1-9 now include the following limitation: "the chamber having a bigger cross-section than the channels." Support for the limitation can be found in the figures. The chamber is represented by reference numbers 13, 13a, and 13b. The flow channel is represented by reference number 5. Figures 2-5, 8, and 9 illustrate that the cross-section of

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the chamber 13 is than the channel 5. Streiff and Isahaya do not disclose that limitation. Applicants also incorporate and maintain their previous response filed on June 4, 2003. Accordingly, Applicants respectfully request that the rejection be withdrawn.

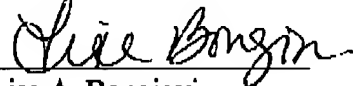
Claim 6 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over any one of Isahaya, McCall, and Streiff, taken in view of USSR 1599067A1. Applicants incorporate and maintain their response filed on June 4, 2003.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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